

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCY United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/041,084	01/04/2002	David Betz	GENSP030 2418		
22434 DEVED WEAT	7590 02/04/2008		EXAM	EXAMINER	
BEYER WEAVER LLP P.O. BOX 70250			ZHAO, DAQUAN		
OAKLAND, C	CA 94612-0250	•	ART UNIT PAPER NUMBER		
			2621		
	•		MAIL DATE	DELIVERY MODE	
· ·			02/04/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
Advisory Action	10/041,084	BETZ ET AL.			
Before the Filing of an Appeal Brief	Examiner	Art Unit	· · · · · · · · · · · · · · · · · · ·		
	Daguan Zhao	2621			
The MAN INO DATE of the	· · · · · · · · · · · · · · · · · · ·				
The MAILING DATE of this communication appe			ess		
THE REPLY FILED 16 January 2008 FAILS TO PLACE THIS A					
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in c	idavit, or other evidend compliance with 37 CF	ce, which R 41.31; or (3)		
a) \square The period for reply expires 3 months from the mailing date	•				
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE 06.07(f).	g date of the final rejectio E FIRST REPLY WAS FIL	n. LED WITHIN		
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply origi than three months after the mailing dat	of the fee. The appropria inally set in the final Office	te extension fee e action; or (2) as		
The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS					
3. X The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief.	will not be entered be	cause		
(a) They raise new issues that would require further co	nsideration and/or search (see NO				
(b) They raise the issue of new matter (see NOTE belo	• •				
(c) They are not deemed to place the application in befappeal; and/or	ter form for appeal by materially re-	ducing or simplifying th	ne issues for		
(d) They present additional claims without canceling a	corresponding number of finally reio	ected claims.			
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1					
4. The amendments are not in compliance with 37 CFR 1.1	* **	mpliant Amendment (F	PTOL-324).		
5. Applicant's reply has overcome the following rejection(s)	:				
 Newly proposed or amended claim(s) would be al non-allowable claim(s). 	lowable if submitted in a separate,	timely filed amendmer	nt canceling the		
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro-		I be entered and an ex	planation of		
The status of the claim(s) is (or will be) as follows: Claim(s) allowed:					
Claim(s) objected to:					
Claim(s) rejected: <u>1,6,9-15,24-26</u> .					
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE	•				
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good answas not earlier presented. See 37 CFR 1.116(e). 	t before or on the date of filing a No d sufficient reasons why the affidav	otice of Appeal will <u>not</u> it or other evidence is	be entered necessary and		
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	vercome <u>all</u> rejections under appear y and was not earlier presented. So	al and/or appellant fails ee 37 CFR 41.33(d)(1)	s to provide a		
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after er	ntry is below or attache	ed.		
11. The request for reconsideration has been considered but	t does NOT place the application ir	condition for allowand	ce because:		
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 13. Other:					
•					

Continuation of 3. NOTE: The newly added limitations "selecting one or more interest point.... in unaltered form:" and "wereing during...in said file" in claims 1 and 15 raises new issues..

TRAN EXAMINER

THAN OTRAN EXAMINER

THAN OF TRANSER

TO OFF OFF OFF TER

TO OFF OFF OFF TER

TO OFF TER

T